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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/594,875 | 06/15/2000 | Yoshiro Yoda | 00442/LH | 8911 |

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EXAMINER

TILLERY, RASHAWN N

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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2612

DATE MAILED: 08/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/594,875

Applicant(s)

YODA, YOSHIRO

Examiner

Rashawn N Tillery

Art Unit

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 May 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 and 14-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 8-10 and 14-17 is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1, 3-5 and 7 are rejected under 35 U.S.C. 102(e) as being anticipated by Tullis (US6535243).

Regarding claim 1, Tullis discloses, in figure 2, an electronic camera system comprising:

an electronic camera (40) for converting an image obtained by sensing into a file and recording the file;

a first communication device (72) attached to the electronic camera to transmit the image file recorded in the electronic camera upon receiving base station identification information of a master unit in position registration processing according to movement (Tullis is capable of broadcasting signals that designate availability of a host computer), the first communication device being registered in the master unit as a subsidiary unit (see col. 5, lines 13-41);

Art Unit: 2612

a second communication device (10) for transferring the image file sent in position registration processing of the first communication device, the second communication device serving as the master unit in which the first communication device is registered as the subsidiary unit in advance (see col. 5, lines 42-61); and

a recording apparatus (16) connected to the second communication device to record the image file transferred from the second communication device;

wherein the electronic camera has an image processing section (56) configured to process the obtained image and a memory card (52) configured to store the converted file (see col. 4, lines 21-47 where the processor and the removably memory is discussed).

Regarding claim 3, Tullis discloses the electronic camera transmits only an image unrecorded in the recording apparatus to the recording apparatus through the first communication device and the second communication device (Tullis is capable of directly transmitting a captured image to the host computer for storage; see col. 6, lines 34-44).

Regarding claim 4, Tullis inherently discloses the second communication device controls a power supply of the recording apparatus in position registration processing for the first communication device since when Tullis' host computer is powered off, the camera is unable to transmit image data.

Regarding claim 5, Tullis discloses, in figure 2, an electronic camera comprising: processing means (56) for processing an image obtained by sensing; recording means (52) for recording the processed image as an image file; and

Art Unit: 2612

transmission means (72) for transmitting the image file recorded in the recording means upon receiving base station identification information of a master unit in position registration processing according to movement (Tullis is capable of broadcasting signals that designate availability of a host computer), the master unit having registered a self device as a subsidiary unit,

wherein the image file is recorded in a recording apparatus of the master unit upon being transmitted to the master unit by the transmission means (see col. 5, line 62 to col. 6, line 12).

Regarding claim 7, Tullis discloses the transmission means transmits only an image unrecorded in the recording apparatus to the master unit (Tullis is capable of directly transmitting a captured image to the host computer for storage; see col. 6, lines 34-44).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 2 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tullis in view of Wakui (US6262767).

Regarding claims 2 and 6, Tullis discloses wirelessly transmitting image data from a hand-held digital camera to a host computer. Tullis does not expressly disclose

Art Unit: 2612

automatically erasing the image data from memory upon transfer of the data from the camera to the computer. Wakui teaches a camera wirelessly controlled by a remote controller. Wakui reveals that it is well known in the art to automatically erase image data after it has been transmitted to the remote controller (see col. 16, lines 9-15). It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement Wakui's teachings. One would have been motivated to do so in an effort to reserve memory space in the camera.

Allowable Subject Matter

Claims 8-10 and 14-17 are allowed.

Conclusion

1. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rashawn N Tillery whose telephone number is 703-305-0627. The examiner can normally be reached on 9AM-6:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on 703-305-4929. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RNT


AUNG MOE
PRIMARY EXAMINER